

farmers in our State, in the upper Midwest, will be allowed to survive without the interference of an outdated and unfair system—in fact, as now indicated by the court, a system that is unlawful, given the changes in the dairy market and given the changes in the times.

Mr. President, this court decision was, at long last, the right one and I look forward to the positive consequences that can flow from it.

I yield the floor.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

#### NATIONAL DRUG POLICY

Mrs. FEINSTEIN. Mr. President, I rise this afternoon to commend and strongly support Gen. Barry McCaffrey, Director of the Office of National Drug Policy Control, in his call for increased funds for the drug interdiction effort. I have been one who has been most critical over the low priority effort that has been made to stop the flow of drugs into this country. The recent series in the Washington Post—I think it was five articles—pointed out that anywhere from 5 to 7 tons a day of heavy narcotics is flowing into our country.

General McCaffrey reports that he has been visiting at least four Cabinet Secretaries, including the Cabinet Secretary representing Defense, to really ask for moneys to increase the interdiction efforts with respect to hard narcotics.

I, who have criticized, must also be one who stands and supports this. Later today, Senator COVERDELL and I, and I hope the distinguished Senator from Iowa, Senator GRASSLEY, who has just come to the floor, will be joining in a letter to the Secretary, also indicating our support.

General McCaffrey insists that he cannot certify the Pentagon's requested budget for fiscal 1999 unless it includes \$141 million in additional drug interdiction funding. I believe the general is right in taking this action. I urge the administration to support him.

While highlighting the fact that other Federal agencies have increased their counternarcotics spending at a faster rate, the general has asked that the Defense Department increase the amount it spends for the drug fight in four key areas.

The first is Andean coca reduction. He is asking for an increase of \$75 million to carry on the drug fight in the Andes region, where American and local officials are working in cooperation to disrupt the cocaine export industry.

National Guard counterdrug operations—he is asking for an increase of \$30 million to support antidrug activities of the National Guard that partially restores reductions incurred since 1993 in State plans funding, which include support for counterdrug activities along the border.

Third, he is asking for an increase of \$12 million for a program to intercept traffickers in the Caribbean Basin, including southern Florida, Puerto Rico, the U.S. Virgin Islands, and the eastern Caribbean. This would implement commitments made by the President during the Caribbean summit in Barbados.

And he is asking for money for Mexican initiatives, an increase of \$24 million to provide additional resources to reduce the flow of illicit drugs from Mexico and for a drug training program for Mexican officials so that they can locate and arrest drug traffickers and money launderers at the border.

The point that General McCaffrey makes, that I think is so important, is although the domestic funding of domestic agencies to fight drugs has gone up, the Defense Department funding, which is really the interdiction funding—the air surveillance, the radar, the trafficking, those things that are going into really cutting off the flow of narcotics—has gone down by 2 percent this year. If you look at a chart of its decline over a period of years you will see where it went up to a high in 1992, came dramatically down by 1994, and has remained virtually flat, even declining some more, between 1995 and 1999. So the current DOD budget is only 1.3 percent higher than fiscal year 1990.

We were told we have 5 to 7 tons of cocaine and hard narcotics coming in over our border a day. And yet, the DOD budget is only 1.3 percent higher in these areas than it was in 1990. That is less than a single year of inflation.

So, I think the head of this Office of Drug Control has a very, very good point in asking for this money and, frankly, for really putting his foot down. Many of us in the Senate have been after him to be more vigorous to stop the flow of narcotics: "Why don't you do something about it? Why don't you see that the air and sea and land interdiction is beefed up?" He can't do that without the resources to do it.

Mr. President, I happen to believe in terms of the appropriateness of it being in the Defense Department budget, that there is no threat to America's national security equal to the threat of drugs. Tens of thousands of people are killed in this country from drugs. Hundreds of thousands of lives in this country are ruined by drugs. It is largely responsible today for the crime rate in virtually every community throughout this Nation. It is a driving force and a central drawing card for the gang movement in the United States and its spread across State lines.

The cartels have flourished because of it, and with it has come some of the most violent actions which anyone can possibly conceive: prosecutors killed, attorneys threatened. Just today, if you pick up the newspaper, you will see one of the cartel leaders, Amado Carrillo Fuentes, who underwent plastic surgery. The doctors who performed that surgery disappeared. Their bodies were just found. Their fingernails had been pulled out. Their bodies were covered with burns. The garrote still re-

mained around their neck. And this is everyday action surrounding drugs, the movement of drugs and the activities of the five big Mexican cartels.

All of this has created increased and, I think, unnecessary tensions between two countries, neighboring countries—the United States and Mexico—who should be good friends and working together. We can't work together without the resources to carry out the job well. No Nation today, again, presents the threat to this Nation's national security as does the heavy flow of narcotics into this country.

So I am very proud, and Senator COVERDELL and I will be issuing a joint press statement indicating our strong support for this action. We want a standup drug czar. We want him to call it as he sees it. We want him to take forceful action wherever that action is needed.

I am proud to stand here representing one of the States that is impacted in a major way by drugs, to say both to the Secretary of Defense and to the President of the United States, "Please support the drug czar in his request for these additional moneys. They are necessary for him to do the job."

I thank the Chair, and I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

#### EXTENSION OF MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that morning business be extended until 4 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONFIRMATION OF CHRISTINA SNYDER

Mrs. FEINSTEIN. Mr. President, I thank the Senate, in particular I thank the majority and minority leaders for the agreement that allowed the confirmation of Christina Snyder as a Federal district court judge to proceed. I think this body will be proud of Mrs. Snyder's work on the bench. I have a great deal of faith in her.

I thank the majority leader very much for scheduling this vote on the nomination of Christina Snyder. Mrs. Snyder is an excellent candidate, and I am delighted that the Senate will act today on her nomination.

Christina Snyder's nomination has been pending before the Senate since

being reported by the Judiciary Committee on September 18, and the California district courts face an urgent need for additional judges on the bench.

I recommended Chris Snyder to the President, in January 1996, for appointment to the central district of California because I believe she is extremely well qualified for the position.

Christina Snyder is a highly respected lawyer in Los Angeles. She has more than 20 years of experience in the courtroom and served as a partner in three respected Los Angeles law firms.

She has focused her legal career on civil proceedings, where approximately 70 percent of her cases have been in the Federal courts.

Her practice has consisted of complex civil litigation, representing mostly defendants, including cases involving the Federal securities laws, civil RICO, antitrust, intellectual property, and the Lanham Act.

Christina's record for integrity and decisiveness has earned the respect of her peers, both Democrats and Republicans alike.

Chris Snyder has the support of professors, judges, and lawyers in the central district and throughout California.

Among her many supporters are such prominent Republican Los Angeles leaders as Mayor Richard Riordan, who noted his very high regard and enthusiastic support for her, and Sheriff Sherman Block.

As a testament to her high regard by her colleagues in the legal profession, Mrs. Snyder was nominated for membership to the prestigious American Law Institute. Membership in the organization is equally divided between lawyers, judges, and legal professors. It is indeed an honor to be elected to the organization and Mrs. Snyder was elected to the institute the very first time she was nominated, a noteworthy accomplishment.

Mrs. Snyder has also lectured on various subjects related to banking law and intellectual property law, and is currently coauthoring a treatise on the local rules of practice of the Federal courts in the State of California.

As an attorney for over 20 years, she has the experience and temperament to excel in this position.

I urge the Senate to confirm her nomination to the central district court.

Thank you, Mr. President. I yield the floor.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you very much, Mr. President. I want to pick up on a thank you here about the fact that we were able to confirm today an outstanding candidate that Senator FEINSTEIN recommended to the President, Christine Snyder.

#### NOMINATION OF MARGARET MORROW

Mrs. BOXER. Mr. President, I personally say to Senators LOTT and DASCHLE

an enormous thank you for working out an agreement by which we can vote on another extraordinary woman, Margaret Morrow, and make sure that vote will take place before the February break.

We have had one or two Senators who put anonymous holds on this nomination. I am happy to say they decided to come out and talk about why they don't feel it is a good nomination, because at least we know who is objecting to Margaret Morrow.

Those two Senators and I have spoken. We have written to each other extensively, and they have agreed that it is only fair that there be a vote on Margaret Morrow. She has the support of Senator HATCH. She has the support of many members of the Judiciary Committee on both sides of the aisle. Margaret Morrow will make a great judge. I think it is most unfortunate that she has to wait until February, but I feel that at least we have a commitment for a date certain that we will have a vote, and that will be before the February recess.

Again, I thank very much the majority leader, Senator LOTT, and the Democratic leader, Senator DASCHLE, for working with me to make sure that this happens.

I think as we wind down, I have something to be very happy about, which is that we are going to have a vote on Margaret Morrow. I know when my colleagues see the strong bipartisan support she has in the State of California and in this U.S. Senate that she will win confirmation.

Thank you very much, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I ask unanimous consent that I may have as much time as I require.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORIGINS OF FAST TRACK

Mr. BYRD. Mr. President, I have followed the fast-track debate closely, and it is with some disappointment that I note the absence of any discussion of the constitutional and institutional framework that governs our country's approach to foreign trade. A proper understanding of that framework is essential if we are to have a productive, enlightened debate about fast track.

I am also convinced that some of fast track's most ardent admirers might find their ardor dimmed a little if they recognize the sordid truth about fast track.

Accordingly, I wish to speak, not overly long, about the illegitimate

birth and disreputable pedigree of fast track. And I will attempt to unfold a decidedly unflattering but undeniably truthful account of how Presidential machinations and arrogance combined with congressional spinelessness to produce the monstrosity of fast track. They will learn that fast track is not about saving jobs or opening markets or building a bridge to the next century. Fast track, in a very considerable measure, is about *power*—raw, unfettered, Presidential power. And Mr. President, let me point out to any colleagues who doubt my reliability and objectivity in this regard that much of what I have to say is drawn from a recent article in the *George Washington Journal of International Law and Economics*, whose author appears favorably disposed to fast track.

I start by noting that the Constitution assigns Congress a major role in the regulation of foreign affairs. Contrary to popular opinion—and contrary to the beliefs of most Presidents—the executive branch does *not* possess sole authority over foreign affairs. Indeed, beyond the general statement in article II, section 1 that “[t]he executive Power shall be vested in a President of the United States of America,” the Constitution contains only four provisions that grant the executive clear foreign relations authority.

Now, I carry in my shirt pocket a copy of the Constitution of the United States. Alexander the Great greatly admired the Iliad. And he carried with him a copy of the Iliad, a copy that Aristotle had carefully examined and refined somewhat. And it was called the “casket copy.” Aristotle slept with this casket copy of the Iliad under his pillow. And along with the Iliad, there was a sword.

Now, Mr. President, I do not have a copy of the Constitution at night under my pillow, but I try to carry it at all times whether I am in West Virginia or whether I am here. I try to carry a copy of the Constitution in my shirt pocket. It is a copy of the Constitution that I have had for several years. It only cost 15 cents at the time I procured it from the Government Printing Office. Although the price has advanced now to probably about \$1.50, \$1.75, it is still the same Constitution.

We may have added one or two or three amendments to the Constitution since I first procured this copy. I have not stopped to check on that. But the Constitution itself has not changed in that time other than, as I say, some amendments have been added.

Would it surprise Senators to know that the Constitution contains only four provisions that grant the executive clear foreign relations authority? As one scholar has dryly observed, “the support these clauses offer the President is less than overwhelming.” The